



WEEKLY REPORT

ARIZONA GAME AND FISH DEPARTMENT

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Arizona Game and Fish
Commission

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W eekly Report is published by the Arizona Game and Fish Department Legislative Affairs Division. During the Legislative Session, we provide a summary of legislation that pertains to the Department. If there are issues you would like to address, please let us know. Send an email to: aguiles@azgfd.gov

AGFD Legislation NEWS:

- The Legislature Adjourned *sine die* on June 20th (Wed) at 10:58pm (164 days).
- **HB 2443** *off-highway vehicle; user fee* failed by a vote of 15 ayes and 10 nays, thank you for your support.
- **This is the Last Weekly Report for this Regular Legislative Session, please have a safe summer.**

POSTED CALENDARS AND COMMITTEE HEARINGS

None

Quick Reference

AGFD Related Legislation
(For Period Ending Friday June 29, 2007)

STATUS OF BILLS AFFECTING THE DEPARTMENT

Support

H2093: GOLDWATER RANGE; CONCURRENT JURISDICTION	The list of lands for which the federal government may request concurrent criminal jurisdiction with the state is expanded by adding the Barry M. Goldwater Range. See S1326	First sponsor: Rep. Nelson	3/26 Senate <u>jud</u> held. DEAD
H2116 (Chapter 5): GAME & FISH; BIG GAME PERMITS; GRANDCHILDREN	The list of persons who may transfer a big game permit is expanded to include grandparents who may transfer a permit to a minor grandchild. The minor must be accompanied in the field by the transferring grandparent or the minor's parent or guardian. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Jerry Weiers	4/6 signed by governor. Chap. 5, Laws 2007.

H2117 (Chapter 66): GAME & FISH; BIG GAME PERMITS; TRANSFERS	The list of people to whom a holder of a big game permit may transfer the permit is expanded to include a minor child with a permanent physical "disability." If the child is younger than 14, the child must complete the hunter education course offered by Dept of Game and Fish. A definition of "disability" is added stating, it refers to a permanent physical impairment that "substantially" limits one or more of the child's "major life activities," requiring assistance by a person or mechanical device for mobility. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Jerry Weiers	4/16 signed by governor. Chap. 66, Laws 2007.
H2443: OFF-HIGHWAY VEHICLES; USER FEE	Effective July 1, 2008, various changes in statutes related to operation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation and that a fee is charged for the indicia. Proceeds from the sale of indicia will be used by the State Land Department to mitigate the impact of vehicles on its land. Off-highway vehicles must have certain equipment and minors operating an off-highway vehicle must wear helmets. Violations are considered civil traffic violations. New license plates are established for off-highway vehicles, which must systematically replace the current plates, and which are no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of \$3 instead of the regular VLT rate. It is a class 3 misdemeanor to drive an off-highway vehicle off of an existing road or trail in a way that causes damage to wildlife habitat, cultural or natural resources, or property; to drive an off-highway vehicle on closed roads or trails; to operate an off-highway vehicle in connection with acts of vandalism or other crimes; or for anyone other than a government agent to place or remove a regulatory sign governing off-highway vehicle use on any public or state land. AS PASSED HOUSE.	First sponsor: Rep. Jerry Weiers	6/20 FAILED to pass Senate on reconsideration <u>15-10</u> . DEAD
HCM2008: URGE PROTECTION; KOFA HERD	Urges Congress to designate the Arizona Game & Fish Commission as lead agency in the management of non-endangered state wildlife and further urges the commission to employ all tools and resources to recover the Kofa National Wildlife Refuge's bighorn sheep population, which has declined from 812 in 2000 to 390 in 2006. AS PASSED HOUSE.	First sponsor: Rep. Jerry Weiers	4/12 passed Senate <u>19-9</u> ; to secretary of state.
S1305: VETERANS; DISABLED; FISHING LICENSES	The Game and Fish Commission may issue complimentary fishing licenses to veterans who are receiving compensation for permanent service connected disabilities rated at least 70% disabling.	First sponsor: Sen. Rios	2/1 from Senate <u>nat res-rural</u> with amend <u>#3107</u> . DEAD
S1326 (Chapter 197): GOLDWATER RANGE; CONCURRENT JURISDICTION	The list of lands on which both the state and the federal government have concurrent criminal jurisdiction is expanded to include the Goldwater Range. AS SIGNED BY GOVERNOR. .	First sponsor: Sen. Leff	5/8 signed by governor. Chap. 197, Laws 2007.
S1355: GOLDWATER RANGE; CONCURRENT	The list of lands for which the federal government may request concurrent criminal jurisdiction with the	First sponsor:	2/1 referred to

JURISDICTION	state is expanded by adding the Barry M. Goldwater Range.	Sen. Aguirre	Senate <u>jud.</u> DEAD See S1326
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Oppose

S1492: LOTTERY PROCEEDS; UNIVERSITY SCHOLARSHIPS	The list of uses of lottery proceeds is expanded by adding a requirement that \$10 million be paid to a university tuition scholarship fund created by this act administered by the Board of Regents. . Possible diversion of Revenue from the Heritage Fund.	First sponsor: <u>Sen. Hale.</u>	1/30 referred to Senate <u>higher ed,</u> <u>appro.</u> DEAD
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Commission Direction

H2137: GAME & FISH LICENSES; DISABLED VETERANS	The Game and Fish Commission may issue complimentary licenses to veterans who have disabilities rated as less than 100% disabling, but who are rated as individually unemployable (previously, only veterans with disabilities that are 100% disabling were eligible). To qualify for complimentary licenses, disabled veterans must provide a letter from the U.S. Department of Veterans Affairs stating their disability rating.	First sponsor: Rep. Rios	1/22 withdrawn from House <u>trans</u> and additionally referred to <u>nat res-pub.</u> DEAD
H2227: RESTAURANTS; ILLEGAL FEEDING OF WILDLIFE	Patrons of a licensed restaurant are added to the list of situations that do not constitute illegal feeding of wildlife. Retroactive to September 21, 2006.	First sponsor: Rep. McClure	1/18 referred to House <u>jud.</u> DEAD
H2781 (Chapter 255): BUDGET; GENERAL APPROPRIATIONS	Makes general appropriations for state agencies and session law changes in the fiscal 2007-08 budget. All appropriations are made at fiscal 2006-07 levels unless noted. Among the appropriations are: \$33,193,000 for Dept of Corrections to 2,060 provisional beds; increases child care reimbursement rate by 5 percent; conditionally appropriates \$14.3 million for ELL programs, to be allocated upon court order the state has taken action to address Flores lawsuit. Specifies distribution of \$400,000 appropriation for nursing care institution quality improvement grants. Requires Dept of Health Services to report to the Legislature on adverse effects of vaccines. Government subdivisions are no longer required to maintain a 287g MOU with the federal government to receive GITEM monies. Removes the prohibition on \$10 million of GITEM monies from being used for administration or to add a new unit. Specifies \$2 million for Dept of Public Safety	First sponsor: Rep. Boone	6/25 signed by governor. Chap. 255, Laws 2007. 94% of AGFD Budget Received

	raises is to be given to Officer I, II and III classifications. Contains intent language for the use of anti-racketeering money received by DPS. The information that must be included in the Motor Vehicle Division wait time report is expanded. ASU and U of A must jointly submit an expenditure plan to JCCR for review before spending appropriations on the Phoenix Biomedical Campus. Appropriates \$62 million from State Highway Fund to the STAN account. Adds \$68.8 million from General Fund (GF) and \$19.5 million from other funds to provide a state employee salary increase of 3.25 percent, of which 0.25 percent is performance pay. Appropriates \$20.2 million from the GF and \$7 million of other funds for the employer share of a health insurance increase, and adds \$16 million from the GF and \$3.2 million other funds for the employer share of a retirement increase. AS PASSED SENATE.		
H2783 (Chapter 257): BUDGET; CAPITAL OUTLAY; APPROPRIATIONS	Makes appropriations and session law changes related to capital outlay in the fiscal 2007-08 budget. Appropriates approximately \$13 million for building renewal. Unexpended FY08 building renewal money reverts to the general fund at end of fiscal year. Appropriates money for major agency capital projects. Requires the AZ Game & Fish Dept to conduct a feasibility study regarding the development of a shooting range in Sunflower. Appropriates \$142,500 to Dept of Economic Security for the design of an assisted living center on the Hopi reservation. The Dept of Administration may enter into 15-year lease purchase agreements for a new forensic unit for the State Hospital and for prison water projects. Appropriates \$1 million for the Arizona Welcome Center in Yuma and \$1 million for the Navajo Nation multipurpose center. AS PASSED SENATE.	First sponsor: Rep. McComish	6/25 signed by governor. Chap. 257, Laws 2007. All AGFD Requests received
H2788 (Chapter 262): BUDGET RECONCILIATION; ENVIRONMENT	Makes appropriations and session law changes related to environment in the fiscal 2007-08 budget. The Community Protection Initiative Program and Fund are established to assist local governments and private landowners in reducing hazardous fuels on nonfederal forest land. \$1 million is appropriated from the general fund to the Fund. The State Forester is required to maintain a list of communities at risk of wildfire and issue grants from the Fund to help those communities complete a wildfire protection plan. The State Parks are authorized to spend up to \$692,100 from the Off-Highway Vehicle Recreation Fund for operating expenses. The Water Infrastructure Finance Authority is required to assist cities that are converting from septic systems to an approved sewer system if the cities may have an impact on the water of the Colorado River. AS PASSED SENATE.	First sponsor: Rep. McComish	6/25 signed by governor. Chap. 262, Laws 2007.
S1003: SENATE CONFIRMATION PROCESS	Clarifies the Senate's "advice and consent" process. Contains an emergency clause. AS PASSED SENATE.	First sponsor: Sen. Bee	6/20 from House <u>rules</u> okay. Retained on House COW calendar. DEAD

S1026: EXTREME DUI; SENTENCE	Language giving a judge the discretion to suspend all but 10 days of a jail sentence for extreme DUI if the defendant completes a court-ordered alcohol or drug treatment program is deleted.	First sponsor: Sen. Waring	1/25 Senate COW approved with floor amend <u>#3064</u> ; amend 3018 was withdrawn. DEAD
S1029 (Chapter 219): DUI; EXTREME; 0.20 CONCENTRATION ENHANCEMENT	A person convicted of DUI (BAC of 0.08) shall be ordered to equip any vehicle the person operates with an ignition interlock device for a minimum of 12 months. If a person who is convicted of extreme DUI has a BAC of 0.20 or more (exceeding the extreme DUI threshold of 0.15), sentencing minimums are increased; for a first violation the person must serve a minimum of 45 days in jail and pay a \$500 fine (increased from 30 days and \$250); for a second violation within 84 months, the minimums are increased to 180 days in jail and a \$1000 fine (from 120 days and \$500). For a person convicted of extreme DUI with a BAC of 0.20 or more, minimum jail sentences may no longer be reduced for completion of a treatment program. Additionally, for those convicted of extreme DUI with a BAC of less than 0.20, an ignition interlock device is required for 18 months; if the BAC is 0.20 or greater, the device is required for 24 months. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Waring	5/18 signed by governor. Chap. 219, Laws 2007.
S1086: BUDGET; GENERAL APPROPRIATIONS	The "feed bill" providing funding for state agencies; those on biennial budgets are funded for fiscal 08 and 09; those with one year budgets are funded for fiscal 08. Provisions include a 3% raise for state employees plus 0.25% merit increase. Some representative agencies: AHCCCS is authorized to spend \$5.559 billion (of which \$1.26 billion is from the general fund); the attorney general gets \$46.8 million in FY08 and \$46.3 million in FY09; the Dept of Corrections gets \$757.8 million; basic state aid (a line item within the budget of the state board of education) increases to \$3.846 billion in FY08 from \$3.67 billion in FY07; \$2.25 million to a math and science teacher initiative to provide loans to prospective teachers. Conditional upon the state prevailing in the Flores case, this bill appropriates \$14.3 million in additional ELL weight funding. Monies in excess of \$4.7 million in the Telecommunications Fund Infrastructure Improvements Account are appropriated to the Dept of Administration; however, DOA must submit a report to the JLBC on the intended uses of the monies. Much more. AS PASSED SENATE.	First sponsor: Sen. Burns	5/17 referred to House <u>appro.</u> DEAD
S1088: BUDGET; CAPITAL OUTLAY; APPROPS; TRIGGERS	Appropriates \$301.7 million for capital projects, including \$241 million for state highway construction and \$25 million for airport planning and development. Also appropriates \$13 million to various state agencies for building renewal. If state revenue exceeds forecasts by stipulated amounts, additional expenditure is authorized for prison water &	First sponsor: Sen. Burns	5/17 referred to House <u>appro.</u> DEAD

	wastewater projects, a new forensic unit and other improvements at the Arizona State Hospital, and other state building renewal projects. If trigger amounts are not met, the state is authorized to enter into lease-purchase agreements to issue certificates of participation to fund the projects. AS PASSED SENATE.		
S1252 (Chapter 195): EXTREME DUI; SENTENCING	The option for a judge to suspend all but 10 days of the otherwise mandated 30-day jail sentence for first offenders of extreme DUI (BAC of 0.15 or more) if the person completes a court-ordered alcohol or other drug treatment program is eliminated. Likewise, in the event person had been convicted of a prior extreme DUI within the previous 84 months, the option for a judge to suspend all but 60 days of the otherwise mandatory 120-day jail sentence is eliminated. Additionally, in each case the court may order the defendant to not consume alcohol for a period of time (minimum of 30 days for a first offense; 90 days for a second offense within 84 months) and be monitored daily for alcohol consumption. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Waring	5/8 signed by governor. Chap. 195, Laws 2007.
SM1006: RECREATIONAL SHOOTING IN IRONWOOD FOREST NM	The Senate urges the Bureau of Land Management to revise one of BLM's resource management plan options ("alternative C") being considered for the Ironwood Forest National Monument that would prohibit all recreational shooting and that a revised plan be subject to a new round of public comment "absent the bias displayed by the Bureau's Tucson field office." Further, the Bureau is urged to revise its current practices so that it not close any of its holdings in the state to recreational shooting.	First sponsor: Sen. Bee	6/4 unanimously adopted by Senate; to secretary of state.

LEGEND

- Commission Direction – The Game and Fish Commission has given direction to the Department on these bills OR the department would like to address the commission about these bills.
- Oppose – The Game and Fish Commission has voted to oppose these bills.
- Support – The Game and Fish Commission has voted to support these bills.

AMEND C&P Constitutional and Proper as Amended by the House Rules Committee

APPROP Appropriations Committee

AGFD Arizona Game and Fish Department

C&P Constitutional and Proper

COW Committee of the Whole

DP Do Pass

DPA Do Pass as Amended

GF General Fund

GOV Government Committee

GR Government and Retirement Committee
H House Bill
HCR House Concurrent Resolution
HHR House Hearing Room
Hse. House of Representatives
JUD Judiciary Committee
PFC Proper for Consideration
PFC A Proper for Consideration as Amended by the Senate Rules Committee
S Senate Bill
S/E Strike Everything Amendment
Sen. Senate
SHR Senate Hearing Room
WM Ways and Means Committee

If you have questions relating to legislation, please contact AGFD Legislative Liaison
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